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Case 2:10-cv-10978-PJD-MJH

UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMERICAN UNIVERSITY OF ANTIGUA,
COLLEGE OF MEDICINE, a foreign corporation,

Plaintiff,

V

CASE No.: 2:10-cv-10978-PJD-MJH
Judge Patrick J. Duggan

STEVEN WOODWARD,

Defendant,

**Emergency Motion for Hearing Transcripts for Pro Se Defendant,
Request for Adjournment of Hearing Scheduled for August 18, 2011 for Summary
Judgment**

**Request Review of Docket 143 Summary Judgment and
Docket 76, Docket 115, Dockets 140, Docket 141, and Docket 136**

Request Review of Docket 125, Docket 128, Docket 130, and Dockets 139

U.S. DIST. COURT CLERK
EAST DIST. MICH.
FILED

2011 AUG 12 P 2:50

FILED

**Emergency Motion for Hearing Transcripts for Pro Se Defendant,
Request for Adjournment of Hearing Scheduled for August 18, 2011 for Summary
Judgment**

**Request Review of Docket 143 Summary Judgment and
Docket 76, Docket 115, Dockets 140, Docket 141, and Docket 136**

Request Review of Docket 125, Docket 128, Docket 130, and Dockets 139

The Defendant is indigent with financial means below the poverty level, as verified in the Plaintiffs own

Docket 140 “1. Defendant admits that he is insolvent and would not be able to satisfy a money judgment should one be awarded.”

The Defendant can not afford the cost of the transcripts of the August 11, 2011 Hearing, especially at the prices of \$7.25 per page for Hourly Transcript (same day), **Exhibit 1**, required for the Defendant urgently needs to defend themselves for the August 18, 2011 hearing for Docket 143 (Plaintiff’s Motion for Summary Judgment)

During the August 11, 2011 Hearing the Plaintiff, Eric Buikema admitted to receiving the Defendant’s answers to the **“Plaintiff’s Requests for Admissions”**.

The Defendant requires the August 11, 2011 transcript as evidence to support their defense against the Plaintiff’s allegations asserted in Docket 143 (Plaintiff’s Motion for Summary Judgment).

During the hearing on August 11, 2011 the Honorable Judge Patrick J. Duggan requested material evidence be presented to him in “written” format.

To support the Defendant innocents to the Plaintiff's claims in Docket 143; the Defendant brought to the Honorable Judge Patrick J. Duggan's attention the intention of using a recorded copy of the December 22, 2010 hearing.

A. Request for Transcripts:

Per the Judges own requirements and the Defendants economic situation; the Defendant humbly requests the Defendant receive hard paper copies of two Court transcripts:

1. Hearing, dated December 22, 2010, between American University of Antigua v Steven Woodward, before the Honorable Judge Michael Hluchniuk.
2. Hearing, dated August 11, 2011, between American University of Antigua v Steven Woodward, before the Honorable Judge Patrick J. Duggan.

B. Request for Adjournment

Per the Plaintiff's own admission of receiving the Defendant's answers to the **"Plaintiff's Requests for Admissions"**, the Defendant requests an adjournment, of the August 18, 2011 hearing until they can obtain copies of Court Transcripts for review.

To support these requests the Defendant quotes from the Plaintiff's own Docket 143 (Plaintiff's Motion for Summary Judgement)

Page 1, number 2:

"Defendant failed to answer requests for admissions and has conceded liability"

The Plaintiff's own admission proves they have lied on Court documentation and have filed Docket 143 as a fraudulent and frivolous motion.

C. Request of Docket Review per admissions by Plaintiff.

The Defendant supports their request for adjournment of the August 18, 2011 hearing until the Dockets, 76, 115, 140, 141, and 136 have been reviewed and Orders issued.

The Plaintiff's admission, during the August 11, 2011 hearing, to receiving the Defendants answers to the "Plaintiff's Request for Admissions" proves the Plaintiff has:

- Lied before the Court
- Acted in "Bad Faith" concerning Discovery violating FR 37,
- Filed frivolous motions,

Defendant requests the Court review the following Dockets prior to a hearing on Summary Judgment:

1. Request review of Docket 76 (Plaintiff's Motion o Compel Discovery Responses)

Docket 76 was filed in "Bad Faith", in violation of FR 37.

During the August 11, 2011 hearing evidence was presented that Motion, docket 76 was filed in Bad Faith.

The Defendant tried to confer with the Plaintiff via email on December 16, 2010 at

12:15:52, Exhibit 2.

The Plaintiff filed Docket 76, Motion to Compel, at **3: 58 PM**, December 16, 2010,

Exhibit 3.

The Plaintiff filed Docket 76 over **three(3) hours** after the Defendant tried to schedule the delivery of discovery material to the Plaintiff.

The Plaintiff filed Docket 76 without conferring with the Defendant, violating FR 37.

During the August 11, 2011 hearing these facts were confirmed.

Ms. Orem acknowledged receipt of the Defendant's email to Eric Buikema where the Defendant was attempting to provide the Plaintiff Discovery material on December 16, 2010, **Exhibit 2**.

"Date: Thu, 16 Dec 2010 12:15:52"

"Subject: AUA vs Woodward – Documentation, Interrogatories, Admissions, Documentation Requests"

and

"Please schedule time after the December 22nd Hearing to sign-for(verify receipt) and receive approximately 2,500 pages of my Exhibits and Rule 26 documentation, my answers to your Interrogatories, Requests for Admissions, and Requests for Production"

During the August 11, 2011 hearing the facts concerning the Defendants attempts to provide the Plaintiff with Discovery material was extensively discussed.

The Defendant brought to the December 22, 2010 hearing all of the Plaintiff's requested discovery material; Judge Michael Hluchaniuk noted it was there, the Plaintiff agreed to take it in front of the Judge but then refused to take any of the Discovery material the Defendant brought.

Recording: Exhibit 1, file: Hluchaniuk_20101222-1103_01cba1c7d2325970

Time Marker: 22:12

S. Woodward: Here's all my documentation your honor. There it is, that's my entire case.

Time Marker: 1:07:58

S. Woodward: I suspect there will be more motions for that seeing that I've requested a substantial amount of information from Mr. Buikema which is obvious that he's stated that if hasn't appeared yet and he has basically 4 hours to produce it.

Judge Hluchaniuk: I would also note the existence of a, another motion that has been filed in this matter relating to filed by the Plaintiff relating to the Defendant's failure to produce documents and comply with other discovery request is that right. I just note that that's been filed. The time for responding has not passed yet but that is another issue that may come before me.

S. Woodward: Any documents that he's requests, all his answers to his Interrogatories, all his answers for his Admissions, all of his documentation is here.

Mr. Buikema: It's there, but I didn't address it ---- it's not important.

Judge Hluchaniuk: It's not scheduled for today, I'm just noting the existing of it and Mr Woodward is saying that he intends to comply with that today, whether that actually comes to pass is another issue which we may address at another time but I certainly invite you Mr Buikema to look at what Mr Woodward has brought to Court today and accept what he has and make a determination of whether that satisfies your motion.

Mr. Buikema:: I have a logistical issue with that today, I just---but ah---

Judge Hluchaniuk: That's fine, it's certainly not unreasonable the you would be unable to inspect those documents today under the circumstances, but if he has documents to take with you I would certainly encourage you to take those and then assess the completeness of that production as soon as you possibly can

Mr. Buikema:: I will

**But Mr Buikema did not take the documents, instead opted on storming out of the
Courtroom.**

2. Request review of Docket 115

Docket 115 was written due to the fraud and lies committed by the Plaintiff and exposed by the Defendant during the August 11, 2010 hearing.

Docket 115 "Order on Motions to Compel (Dkt. 76, 86)

**"Plaintiff has filed a motion to compel defendant to answer certain written
discovery requests that have, apparently, gone unanswered (Dkt 76)"**

The Plaintiff has committed fraud by purposefully violating FR 37 by refusing to accept the Defendant Discovery materials as ordered by the Honorable Judge Michael Hluchaniuk during the December 22, 2010 hearing.

**The Defendant requests the Court Strike Docket 115 because of the Plaintiff's
refusal to participate in Discovery and violating Federal Rules for Discovery.**

3. Request review of Docket 140, Plaintiff's Motion for Security Costs

Docket 140 is a frivolous motion and is another example of, the Plaintiff's fraud and subornation of perjury committed by the Plaintiff before the Court.

Docket 140 page 7 Overview, line 2

“Defendant’s discovery responses(2) concede liability in this defamation and trademark case such that Plaintiff will be filing a motion for summary judgment pursuant to Fed. R. Civ. P. 56.”

“Defendant failed to timely answer requests for admissions(3)”

4. Request review of Docket 141, Plaintiff’s motion for Sanctions for Defendant’s failure to comply with Court Order Compelling Discovery (Docket No. 115)

Docket 141 Page 1, line 1

“Plaintiff American University of Antigua College of Medicine (“AUA”), through counsel states its Motion for Sanctions for Defendant’s Failure to Comply with Court Order Compelling Discovery(Docket No 115) as Follows:”

During the August 11, 2011 hearing and the Plaintiff’s own admissions the statements made in Docket 141 are false and examples of subornation of perjury.

5. Request review of Docket 136, Motion for Sanctions

Docket 136 clearly describes the Plaintiff’s “Bad Faith” actions and violations failure to perform Discovery.

D. Request Review of Docket 125, Docket 128, Docket 130, and Dockets 139.

The Plaintiff failed to provide a timely response to Motions 125, 128, and 130, which is clearly documented in Docket 139.

1. The Defendant requests the Court review Dockets 125, 128, and 130 and Order the evidence prior to a Summary Judgment hearing.

The Defendants innocents to the Plaintiff's claims will be proven by the evidence obtained.

The Defendant requests and adjournment until this evidence is provided by the Court prior to a hearing of Summary Judgment.

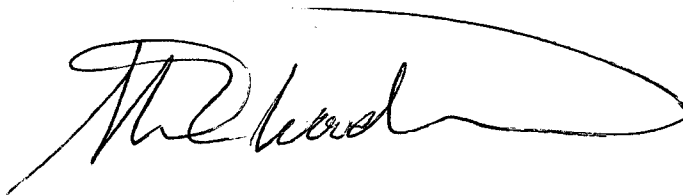
List of Exhibits:

Exhibit 1. Transcript Order Form

Exhibit 2, December 16, 2010 Email Discovery Material

Exhibit 3, December 16, 2010 Docket 76 time submitted

Steven Woodward
7211 Brittwood Ln
Flint, MI 48507
(810)235-7267

A handwritten signature in black ink, appearing to read 'Steven Woodward', with a large, sweeping loop at the end.

United States District Court / Eastern District of Michigan / Southern Division

TRANSCRIPT ORDER FORM

* Denotes required fields

Court Reporter: Select a Court ReporterJudicial Officer: Select a Judicial Officer

| | |
|------------|----------------------------------|
| * Case No. | * Case Name: |
| | |
| * Date(s) | * Proceedings to be transcribed: |
| | |
| | |
| | |

Today's Date: August 12, 2011DCN: _____
(U. S. Attorney's Office only)

| Maximum Transcript Fees – Per Page * | | | | | |
|--------------------------------------|----------|----------------------|----------------------|-----------------------------|--|
| * Please choose one: | Original | 1 st Copy | 2 nd Copy | * Requested Completion Date | |
| Ordinary Transcript (30 day) | \$3.65 | \$.90 | \$.60 | | |
| 14-Day Transcript (14 day) | 4.25 | .90 | .60 | | |
| Expedited Transcript (7 day) | 4.85 | .90 | .60 | | |
| Daily Transcript (next morn) | 6.05 | 1.20 | .90 | | |
| Hourly Transcript (same day) | 7.25 | 1.20 | .90 | | |

* You will be contacted by email with an estimate of cost and with instructions for payment.

If the method of payment is authorized under CJA, a CJA Form 24 must be submitted separately, and an **original signature** is required on the CJA form.* **Delivery Format: Please choose one.** (Choosing more than one format will result in additional copy charges per above.)☒ PDF (default delivery format)

Email address for delivery of PDF transcript: _____

☐ Hard Copy (Please specify):☐ Courier Pickup☐ U.S. Mail☐ FedEx Account No. _____☐ Compressed/condensed☐ ASCII

| Attorney Contact Information | | | |
|------------------------------|--|----------|--|
| * Name: | | | |
| * Phone: | | * Email: | |
| * Firm: | | | |
| * Street Address: | | | |
| * City/State/Zip: | | | |

Comment/Special Instructions:

| |
|--|
| |
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Exhibit 1

Print - Close Window

Subject: AUA vs Woodward - Documentation, Interrogatories, Admissions, Documentation Requests
From: Steve Woodward (steve_1_woodward@yahoo.com)
To: ebuikema@cardellilaw.com; kzalewski@cardellilaw.com; marilyn_orem@mied.uscourts.gov;
Date: Thu, 16 Dec 2010 12:15:52

Mr Buikema,

Depending on the Decisions and Order by the Honorable Judge Michael Hluchaniuk:

Please schedule time after the December 22nd Hearing to sign-for (verify receipt) and receive approximately 2,500 pages of my Exhibits and Rule 26 documentation, my answers to your Interrogatories, Request for Admissions, and Requests for Production.

What you receive will depend on the Order and Decision of the Court.

Please bring with you all documentation the Defendant has requested and the answers to:
Defendant's Interrogatories to Plaintiff
Defendant's Request for Documentation
Defendant's Request for Admissions

Thank you for your time,

Steven Woodward

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Exhibit 2

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Subject: Re: AUA vs Woodward 2:10-cv-10978
From: Marilyn_Orem@mied.uscourts.gov (Marilyn_Orem@mied.uscourts.gov)
To: steve_l_woodward@yahoo.com;
Date: Mon, 09 May 2011 13:32:32

It was filed at 3:58 p.m.

From: Steve Woodward <steve_l_woodward@yahoo.com>
To: Orem Court <marilyn_orem@mied.uscourts.gov>
Date: 05/09/2011 12:55 PM
Subject: AUA vs Woodward 2:10-cv-10978

Dear Mrs. Orem

I am trying to get some information concerning the time Docket 76 was filed, case 2:10-cv-10978-PJD-MJH. I believe it was filed 15:58.

It was electronically filed by E. Buikema.

Thank you for your time,

Steven Woodward

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Exhibit 3